

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MEYER INTELLECTUAL PROPERTIES	)	
LIMITED, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 06 C 6329
	)	
BODUM, INC.,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

Bodum, Inc. ("Bodum") has filed its Answer and Counterclaims in this patent infringement action brought against it by Meyer Intellectual Properties Limited and Meyer Corporation, U.S. This memorandum order is issued sua sponte to correct one glitch in that responsive pleading.

Although Bodum is meticulous in conforming to the language of the disclaimer required by the second sentence of Fed. R. Civ. P. ("Rule") 8(b) to obtain the benefit of a deemed denial, it then goes on impermissibly to deny the very allegations of the Complaint as to which it has so disclaimed its possession of knowledge or information sufficient to form a belief (Answer ¶¶2, 3, 7 and 11). That is of course oxymoronic--how can a party that lacks even a belief as to the truth of an allegation then go on to deny it in the objective good faith required by Rule 11(b)? Accordingly the phrase "and, therefore, denies same" is stricken from each of those paragraphs of the Answer.



---

Milton I. Shadur  
Senior United States District Judge

Date: January 23, 2007